

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
SECOND SESSION
LEGISLATIVE BILL 480

FINAL READING

Introduced by Johnson, 37.

Read first time January 17, 2007

Committee: Health and Human Services

A BILL

1 FOR AN ACT relating to health care; to amend section 71-7605,
2 Reissue Revised Statutes of Nebraska, and section
3 71-7611, Revised Statutes Supplement, 2007; to change and
4 eliminate provisions relating to credit and transfers
5 of funds, legislative intent, certain federal actions,
6 reports on health care access and expenditures, funds,
7 and a council; to provide an operative date; to repeal
8 the original sections; to outright repeal sections
9 71-7601, 71-7602, 71-7604, and 71-7609, Reissue Revised
10 Statutes of Nebraska, section 71-7610, Revised Statutes
11 Cumulative Supplement, 2006, and sections 71-7603 and
12 71-7614, Revised Statutes Supplement, 2007; and to
13 declare an emergency.

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1 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 71-7605, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 71-7605 Sections 71-7605 to ~~71-7614~~ 71-7611 shall be
4 known and may be cited as the Nebraska Health Care Funding Act.

5 Sec. 2. Section 71-7611, Revised Statutes Supplement,
6 2007, is amended to read:

7 71-7611 (1) The Nebraska Health Care Cash Fund is
8 created. The State Treasurer shall transfer fifty-five million
9 dollars annually no later than July 15 from the Nebraska Medicaid
10 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement
11 Trust Fund to the Nebraska Health Care Cash Fund, except that
12 such amount shall be reduced by the amount of the unobligated
13 balance in the Nebraska Health Care Cash Fund at the time the
14 transfer is made. The state investment officer upon consultation
15 with the Nebraska Investment Council shall advise the State
16 Treasurer on the amounts to be transferred from the Nebraska
17 Medicaid Intergovernmental Trust Fund and from the Nebraska Tobacco
18 Settlement Trust Fund under this section in order to sustain such
19 transfers in perpetuity. The state investment officer shall report
20 to the Legislature on or before October 1 of every even-numbered
21 year on the sustainability of such transfers. Except as otherwise
22 provided by law, no more than fifty-five million dollars may be
23 appropriated or transferred from the Nebraska Health Care Cash Fund
24 in any fiscal year.

25 (2) Any money in the Nebraska Health Care Cash Fund

1 available for investment shall be invested by the state investment
2 officer pursuant to the Nebraska Capital Expansion Act and the
3 Nebraska State Funds Investment Act.

4 (3) One million dollars in the Nebraska Health Care Cash
5 Fund is designated each year for the Autism Treatment Program
6 Act for five fiscal years beginning in fiscal year 2007-08 and
7 shall be distributed in each fiscal year as follows: (a) First,
8 to the Department of Health and Human Services for costs related
9 to application and implementation of the waiver; (b) second, to
10 the department for other medical costs for children who would
11 not otherwise qualify for medicaid except for the waiver; and (c)
12 third, the balance to the Autism Treatment Program Cash Fund. The
13 State Treasurer shall transfer the balance of the funding to the
14 Autism Treatment Program Cash Fund based on the estimated costs
15 of administrative and other medical costs as determined by the
16 Legislature through the appropriation process. The transfers to
17 the Autism Treatment Program Cash Fund in any fiscal year shall
18 be contingent upon the receipt of private matching funds under
19 the Autism Treatment Program Act, with no less than one dollar of
20 private funds received for every two dollars transferred from the
21 Nebraska Health Care Cash Fund to the Autism Treatment Program Cash
22 Fund.

23 (4) The University of Nebraska and postsecondary
24 educational institutions having colleges of medicine in Nebraska
25 and their affiliated research hospitals in Nebraska, as a condition

1 of receiving any funds appropriated or transferred from the
2 Nebraska Health Care Cash Fund, shall not discriminate against any
3 person on the basis of sexual orientation.

4 Sec. 3. This act becomes operative on July 15, 2008.

5 Sec. 4. Original section 71-7605, Reissue Revised
6 Statutes of Nebraska, and section 71-7611, Revised Statutes
7 Supplement, 2007, are repealed.

8 Sec. 5. The following sections are outright repealed:
9 Sections 71-7601, 71-7602, 71-7604, and 71-7609, Reissue Revised
10 Statutes of Nebraska, section 71-7610, Revised Statutes Cumulative
11 Supplement, 2006, and sections 71-7603 and 71-7614, Revised
12 Statutes Supplement, 2007.

13 Sec. 6. Since an emergency exists, this act takes effect
14 when passed and approved according to law.